ZONING BOARD OF APPEALS

The hearing on Tuesday, August 9, 2016 was called to order by Chairman Schafer at 7:00 PM.

Members present: Greg Kalinowski
Michael Komorek
Harry Kwiek
Donald Trzepacz
Robert Schafer, Chairman

also: Ray Balcerzak, Bldg Inspector
Phyllis Todoro, Town Atty.
Ron Carey

Absent:

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1283 for Brian Nolan Jr., 2001 Bowen Road, Elma, NY who is requesting a variance to build a front porch with the setback being less than the required 50 feet
§144-99 C(4), residential C.

Brian Nolan Jr. was present to explain how large the deck off the front of the house would be. Mr. Trzepacz asked what the dimensions off the house is for the deck and Brian replied that it is 6 feet with the rafters being an additional foot. Mr. Kwiek asked Mr. Nolan about a drawing that was submitted and the dimensions on the drawing and was informed by Mr. Nolan that the measurement was not 96 feet and should be 72 feet.

Mr. Kwiek asked if there is anything currently where the deck is going to be installed and was informed that there is nothing in that spot at the current time. Mr. Kalinowski asked if the dimension of the deck could be stated in the variance and was informed yes. The measurements are 7 feet by 36 for the deck that is being constructed.

No one spoke for or against the variance.

Mr. Trzepacz made the motion in Appeals Case #1283 for Brian Nolan Jr., 2001 Bowen Road, Elma, NY who is requesting a variance to build a front porch with the setback being less than the required 50 feet §144-99 C(4), residential C, that the variance be granted based on the following items and that the variance is good for one year from the date of this meeting:
1.) that there is not the potential of an undesirable change to the character of the neighborhood;
2.) that the benefit can not be achieved another way; 3.) that the area variance is not substantial;
4.) that there is not an adverse effect on the neighborhood; and 5.) that the situation is self created. Second by Mr. Komorek. Ayes: 5 Nays: 0.

The minutes of the last meeting on June 14, 2016 were approved. Motion made by Mr. Trzepacz and seconded by Mr. Kalinowski. Ayes: 5.

The meeting was adjourned at 7:17 PM. Motion made by Mr. Trzepacz and seconded by Mr. Kwiek. Ayes: 5.

Mr. Kalinowski asked that in the future the person who is making the motion should supply the secretary with the paper that the motion is being read from and that it should be placed with the file.

Respectfully submitted,

Kerry A. Galuski

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Secretary-Clerk